

REVISED
INCLUDES ADDENDUM ITEM #24

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
February 5, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Sedgwick County Commission – “Fair Fares”
- Wichita’s Promise – Youth Service Awards
- Recognition of Olympic Torch Relay Sponsors
- Proclamations

NEW BUSINESS

1. [Petition](#) to Pave Joann from Central to Zoo Boulevard. (District VI)

Signatures on the Petition represent 20 of 50 (38.4 percent) resident owners and 51.1 percent of the improvement district area.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; authorize selection of design engineer.

2. [Petition](#) to Pave St. Clair, North of 54th Street North. (District VI)

Signatures on the Petition represent 25 of 32 (78.1 percent) resident owners and 71.4 percent of the improvement district area.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; authorize

selection of design engineer.

3. [Petition to Pave Wellington Place, from 27th to 29th Street North.](#) (District VI)

Signatures on the Petition represent 10 of 30 (33.3 percent resident owners and 57.75 percent of the improvement district area.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; authorize selection of design engineer.

4. [Petition to Pave Park Place, from 27th to 28th Street North.](#) (District VI)

Signatures on the Petition represent 11 of 20 (55 percent) resident owners and 56.4 percent of the improvement district area.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; authorize selection of design engineer.

5. [Petition to Pave 28th Street North from Fairview to Park Place.](#)

Signatures on the Petition represent 10 of 32 (31.2 percent) resident owners and 57.8 percent of the improvement district area.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; authorize selection of design engineer.

6. [Proposed 2002 – 2011 Capital Improvement Program.](#)

The proposed Capital Improvement Program responds to (and anticipates) community needs, uses City funds to maximize other revenue sources - particularly Federal and State grants - and maximizes the number and scope of capital investments in the City's infrastructure.

RECOMMENDED ACTION: Approve the Program.

7. [Design Services: Elevated Rail Corridor Project.](#) (District VI)

The Elevated Rail Corridor Project is ready for City Council consideration and action to approve the project and proceed with final plans and design necessary for bidding the project.

RECOMMENDED ACTION: Approve the project and Supplemental Agreement to authorize design-build-bid construction method, and necessary signatures.

8. Development Agreement for the Central and Hillside Redevelopment Project. (Districts I and II)

The proposed Development Agreement sets forth the duties and responsibilities of the involved parties.

RECOMMENDED ACTION: Approve Agreement; adopt Resolution;
authorize necessary signatures.

9. Construction and Placement of Barrier Walls Policy.

The proposed Resolution affirms the current City Barrier Walls Policy.

RECOMMENDED ACTION: Adopt the Resolution.

10. Northwest Bypass Resolution.

Construction of the Bypass will accommodate growth and development in the northwest quadrant of the City, and will improve access to business and residential development.

RECOMMENDED ACTION: Adopt the Resolution.

(9:30 a.m., or thereafter)

11. Repair or Removal of Dangerous and Unsafe Structures.

<u>Property Address</u>	<u>Council District</u>
1. 2223 East Shadybrook	I
2. 131 West 26 th North	VI
3. 1438 South Main	I

RECOMMENDED ACTION: Close public hearing; adopt Resolutions.

CITY COUNCIL AGENDA

12. Approval of travel expenses for Council Member Gale and spouse for official visit to Tlalnepantla, Mexico, February 14- 20, 2002

ACTION: Approve the expenditures.

13. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

14. Report of the Board of Bids and Contracts Dated February 4, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

15. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption off Premises)</u>
Mike Bidwell	Dillons Store #12	9450 East Harry
Mike Bidwell	Dillons Store #16	8828 West 13 th Street North
Mike Bidwell	Dillons Store #20	7707 East Central
Mike Bidwell	Dillons Store #21	5500 East Harry
Mike Bidwell	Dillons Store #26	1227 South Hydraulic
Mike Bidwell	Dillons Store #30	2525 West Douglas
Mike Bidwell	Dillons Store #31	1640 South Broadway
Mike Bidwell	Dillons Store #33	4747 South Broadway
Mike Bidwell	Dillons Store #34	3932 West 13 th Street
Mike Bidwell	Dillons Store #35	6297 East 13 th Street
Mike Bidwell	Dillons Store #42	4801 East Central
Mike Bidwell	Dillons Store #49	10222 West 21 st Street
Mike Bidwell	Dillons Store #62	1435 North Waco
Mike Bidwell	Dillons Store #65	3211 South Seneca
Mike Bidwell	Dillons Store #66	2244 North Rock Road
Mike Bidwell	Dillons Store #72	10515 West Central
Dwayne Kahns	Sunrise Amoco	6327 East 13 th Street
Chris Salove	Albertson's #2212	8714 West 13 th Street
Chris Salove	Albertson's #2213	1607 South Georgetown
Chris Salove	Albertson's #2214	3137 South Seneca
Chris Salove	Albertson's #2250	1910 West 21 st Street North
Vernon J. Blasi	Blasi Tire Center, Inc.	11209 West 54 HWY

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted
to the Board of Bids.

17. Preliminary Estimates:

- a) 2002 condemned sidewalk and wheelchair ramps - north of 55th Street South, east of 135th Street West.
(472-83451/132100/) Traffic to be maintained during construction using flagpersons and barricades.
(Districts I, II, III, IV, V& VI) - \$161,580.00

RECOMMENDED ACTION: Approve and file.

18. Petitions for Public Improvements:

- a) Sanitary sewer and water distribution system to serve Family Golf Center Addition – north of Central, east of Webb. (District II)
- b) Sanitary sewer to serve Booher Second Addition – west of Seneca, south of 55th Street South. (District IV)
- c) Sanitary sewer to serve Horseshoe Lake Addition – north of 21st, east of Ridge. (District V)
- d) Sanitary sewer to serve Samra Second Addition - north of Central, west of Greenwich. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

19. Minutes of Advisory Boards/Commissions:

District Advisory Board Minutes- October 1, 2001; November 5, 2001, December 3, 2001
District II Advisory Board Minutes – October 16, 2001
District Advisory Board District IV – November 7, 2001
District VI Advisory Board Minutes – December 3, 2001
Wichita Sedgwick County Board of Health – November 8, 2001, December 13, 2001
Metropolitan Area Planning Commission Minutes – November 15, 2001, December 6, 2001
Housing Advisory Board Meeting – November 20, 2001
Police & Fire Retirement System Regular Board Meeting Minutes – November 28, 2001
Wichita Employees Retirement System Reg. Board Meeting Min. – November 28, 2001
Wichita Airport Advisory Board Minutes – December 3, 2001
Board of Code Standards and Appeals Minutes – December 3, 2001
Board Of Park Commissioners Regular Meeting – December 10, 2001
Minutes Of Meeting of Board of Electrical Appeals – December 11, 2001
Design Council First Floor Meeting Room - City Arts- Minutes – December 20, 2001
Regular Meeting of the Library Board of Directors Minutes – December 18, 2001
Housing Advisory Board Meeting Minutes – January 15, 2002

RECOMMENDED ACTION: Receive and file.

20. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

21. Deeds and Easements:

- a) Sanitary Sewer Easement dated January 17, 2002 from Unified School District No. 259, Sedgwick County, Kansas, for a tract of land in Lot 249, Hyde and Ferrell's Addition, Wichita, Sedgwick County, Kansas (Private Project). No cost to City.

(Item 21 continued)

- b) Easement Agreement dated January 14, 2002 from Slawson Commercial Development Company, a Kansas Corporation for a tract of land in Lot 1, Block 1, E.E. Jabes 2nd Addition to Wichita, Sedgwick County, Kansas (21st & Rock, OCA #706829). No cost to City.
- c) Sanitary Sewer Easement dated January 14, 2002 from Mary Agnes Morley & Mary Francis Holzman, Trustees of Mary Agnes Morley Living Trust, Cletus J. Morley Estate for a tract of land in Section 26, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas (FMC Equestrian, OCA #743896). No cost to City.
- d) Utility Easement dated January 8, 2002 from Mark A. Miller and Loretta K. Miller for a tract of land in Lot 272 and the vacated alley to the east, all located in Riverside Addition, an addition to Wichita, Sedgwick County, Kansas (48" Raw Waterline, OCA #633712). No cost to City.
- e) Sanitary Sewer Easement dated January 4, 2002 from Pleasant Valley Church of Christ for a tract of land in Lot 12, Russell Tracts, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- f) Sanitary Sewer Easement dated January 4, 2002 from The Spiritual Assembly of the Bahai's of Wichita for a tract of land in Lot 1, Baha'i Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- g) Utility Easement dated December 27, 2001 from Westlink Christian Church, a Kansas Corporation for a tract of land in Lot 1, Westlink Christian Church Addition, Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- h) Utility Easement dated December 10, 2001 from Laham Holding Company, L.L.C., a Kansas Limited Liability Company and East Pointe Development, L.L.C., a Kansas Limited Liability Company for a tract of land in Lot 4, Block 1, Legacy Park Wilson Estates Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607853). No cost to City.
- i) Utility Easement dated December 10, 2001 from Laham Holding Company, L.L.C., a Kansas Limited Liability Company and Legacy Park Group, L.L.C., a Kansas Limited Liability Company for a tract of land in Lot 1, Block 1, Legacy Park Wilson Estates Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607853). No cost to City.
- j) Utility Easement dated December 13, 2001 from Norris E. Enterprises, L.L.C., a Kansas Limited Liability Company for a tract of land in Lot 1, Block 1, Legacy Park Wilson Estates Addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607853). No cost to City.

RECOMMENDED ACTION: Receive and file; authorize necessary signatures.

22. [Weapons Destruction:](#)

RECOMMENDED ACTION: Receive and file list of weapons.

23. Report on Claims Allowed - 2002:

The following claims were approved for payment by the Law Department during the month of December, 2001.

<u>Name of Claimant</u>	<u>Amount</u>
Allen, Brad	\$1,000.00**
Gee, Mitchell	\$57.30
Kansas Gas Service	\$453.81
Kansas Gas Service	\$573.06**
Kansas Gas Service	\$248.87**
Kansas Gas Service	\$308.77**
Kansas Gas Service	\$357.22**
Kansas Gas Service	\$1,065.49**
Kansas Gas Service	\$258.51**
Kansas Gas Service	\$437.48**
Kansas Gas Service	\$1,394.03**
Kansas Gas Service	\$1,013.37**
Kansas Gas Service	\$845.17**
King, Helen	\$262.62
Newcomber & Associates	\$5,326.94
Ovalle, Tanisha (Villa Del Mar)	\$72.00
Rondholz, Frederick W.	\$1,482.61
Runyon, Sally	\$183.00**
Smith, Christy	\$84.72
Workman, Timothy A.	\$250.00
Young, LaTonya (Villa Del Mar)	\$100.00**
Young, LaTonya (Villa Del Mar)	\$47.94**

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

24. Agreements/Contracts:

- a) [Legal](#) services for worker's compensation claims.
- b) [Southeast](#) Transmission Main.
- c) [Child](#) Care Association of Wichita/Sedgwick County.
- d) [Legal](#) services for civil rights and personal injury cases.

(Addendum)

- e) [Utility](#) Infrastructure Protection and Reliability.

RECOMMENDED ACTION: Approve Contract; authorize necessary signatures.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

25. Construction Engineering.

- (Item 25 continued)
- a) [Auburn](#) Hills 13th Addition, west of 135th Street West, south of Maple. (District V)
 - b) [21st Street](#) North from Maize Road to 119th Street. (District V)
 - c) [21st Street](#) North from Hillside to Oliver. (District I)
 - d) [Maple](#) from 119th Street West to 135th Street West. (District V)
 - e) [Maple](#) from Maize to 135th Street West. (District V)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

26. Design Services Agreements:

- a) [Eagles](#) Landing and Koch Properties, Oliver from 37th Street North to ½ Mile North. (District I)
- b) [29th Street](#) North from Rock Road to Webb Road. (Districts I and II)
- c) ~~Intersection of Central and Hillside. (Districts I and II)~~
(This Item was pulled from the Agenda)

27. 2001 Year-end Budget Adjustments – Water and Sewer Utility.

RECOMMENDED ACTION: Approve budget adjustments.

28. Homeless Database System.

RECOMMENDED ACTION: Approve local match funding.

29. Payment of Judgment and Transfer of Funds.

RECOMMENDED ACTION: Approve Judgment and transfer of funds.

30. Business Market Survey

RECOMMENDED ACTION: Approve selection; authorize Contract initiation and necessary signatures.

31. Amendment of Industrial Revenue Bond Documents – Airtechnics, Inc. (District II)

RECOMMENDED ACTION: Approve amendments and first reading of Ordinance; authorize necessary signatures.

32. [Sublease](#) – Industrial Revenue Bonds – Presbyterian Manors, Inc.

RECOMMENDED ACTION: Approve documents; adopt Resolution; authorize necessary signatures.

33. [Industrial Revenue Bonds – Riverside Health Systems, Inc.](#) (District VI)

RECOMMENDED ACTION: Adopt Resolution.

34. [Sanitary](#) Sewer Service for City of Kechi.

RECOMMENDED ACTION: Approve expenditures; adopt Resolutions.

35. [Inflow](#) and Infiltration Supplemental Agreement.

RECOMMENDED ACTION: Affirm project authorization; approve supplemental Agreement; authorize necessary signatures.

36. [Lawrence](#) Dumont Stadium Modifications. (District IV)

RECOMMENDED ACTION: Approve Change Order; authorize necessary signatures.

37. [Four](#) Mile Creek Collection System Improvements. (District II)

RECOMMENDED ACTION: Approve expenditures; adopt Resolution.

38. [War](#) Industries Sewer Reconstruction.

RECOMMENDED ACTION: Authorize budget transfer and expenditures; adopt Resolution.

39. [Skate](#) Park Bonding Resolution.

RECOMMENDED ACTION: Authorize project initiation; adopt Resolution.

40. [Narcotics](#) Seizure Accounts.

RECOMMENDED ACTION: Adopt budget; approve Report;
authorize necessary signatures.

41. Proposed Assessment Rolls.

Proposed Assessment Rolls have been prepared for 22 paving projects, and it is necessary to set a public hearing date. Informal hearing with City personnel will be held February 25, 2002.

RECOMMENDED ACTION: Set public hearing on Proposed Assessment
Rolls for 9:30 a.m., Tuesday, March 19, 2002;
direct publication of notices of hearing.

42. Building Permit Fee Adjustment.

RECOMMENDED ACTION: Receive and file.

43. Firefighter Relief Fund Participation.

RECOMMENDED ACTION: Approve Declaration of Participation;
authorize necessary signatures.

44. ~~Amending Resolution: K-96 Lake Park, (District I)~~
(This Item was pulled from the Agenda)

45. Second Reading Ordinances: (First read January 15, 2002)

a) Tax exemption – Excel Corporation. (District VI)

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article II, section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Excel Manufacturing, Inc., so exempted.

b) Tax exemption – Eck and Eck Machine Co., Inc. (District IV)

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Eck & Eck Machine Co., Inc., so exempted.

c) Amendments to City Code Title 18 adopting the 2000 International Building Code.

An Ordinance creating Chapters 18.05, 18.06 and Section 18.08.030; repealing Chapter 18.04, Section 18.24.040, Section 18.28.020, Section 18.28.030, and Section 18.28.040; amending Section 18.08.010, Section 18.08.020, and Section 18.12.170; and repealing the originals of said Amended Sections, all in the code of the City of Wichita, Kansas, and pertaining to the Building Codes of the City of Wichita.

(Item 45 continued)

- d) Amendments to City Code Title 21 adopting the 2000 Uniform Plumbing Code.

An Ordinance amending Sections 21.04.410 and 21.04.070 and repealing the original of said Amended Sections; creating Section 21.04.090; and repealing Section 21.04.140, Section 21.04.145, Section 21.04.204, Section 21.04.205, Section 21.04.220, and Section 21.04.225, all in the Code of the City of Wichita, and pertaining to the plumbing code of the City of Wichita, Kansas.

- e) Department of Environmental Health - Airport Security.

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges amending Ordinance No. 45-183.

- f) SCZ-0687 - north of Central, west side of K-96 Expressway. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. SCZ-0687

- g) ZON 2000-55 - north of Pawnee, east side of Webb Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON 2000-55

- h) ZON 2000-22 - southwest corner of 13th Street North and Greenwich Road. (District II)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON 2000-22

RECOMMENDED ACTION: Adopt Ordinances.

46. First Reading Ordinances:

- a) Building condemnations.
- b) Weed cutting
- c) Health nuisance
- d) Zon2000-00059 – Zone Change and Protective Overlay District, North of 45th north, east of Rock Road. (District II)

RECOMMENDED ACTION: Approve first reading of Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *47. [VAC2001-00043](#) – Vacate Building Setback Located Northwest of 47th Street South/Meridian Intersection.
(District IV)

RECOMMENDED ACTION: Approve Vacation Order; authorize signatures.

- *48. [VAC2001-00057](#) – Vacate Platted Utility Easement and Platted Drainage Easement, Northeast of East Central /North Hillside Intersection. (District I)

RECOMMENDED ACTION: Approve Vacation Order; authorize signatures.

- *49. [VAC2001-00061](#) – Vacate Utility Easement, Third Lot North of Ponderosa and Cardington, West Side of Street.
(District V)

RECOMMENDED ACTION: Approve Vacation Order; authorize signatures.

- *50. [VAC2001-00062](#) – Vacate Platted Utility Easement Located South of Central between 143rd Street East and 155th Street East. (District II)

RECOMMENDED ACTION: Approve Vacation Order; authorize signatures.

- *51. [S/D2000-13](#) – Plat of Chisholm Creek Second Addition, North of 37th Street North, East Side of Woodlawn.
(District II)

RECOMMENDED ACTION: Approve document, Plat, and first reading of Z-3329 Ordinance; authorize signatures.

- *52. [SUB2000-00085](#) – Plat of Fairmont Addition, North of 21st Street North, West Side of 127th Street East.
(District II)

RECOMMENDED ACTION: Approve documents and Plat, adopt Resolutions; authorize signatures.

- *53. [SUB2001-00023](#) – Plat of Regal Motors Addition, East Side of Broadway, North of 31st Street South. (District III)

RECOMMENDED ACTION: Approve Plat; authorize signatures.

- *54. [SUB2001-00097](#) – Plat of Wilson Farms Third Addition, South Side of 21st Street North, West of Webb Road. (District II)

RECOMMENDED ACTION: Approve documents and Plat, adopt Resolutions; authorize signatures.

- *55. [DED2001-00040](#) – Dedication of Easement, South of 48th Street South, West Side of Broadway. (District IV)

RECOMMENDED ACTION: Accept Dedication.

CORRECTED

- *56. [ZON2001-00074](#) – Zone Change from “LC” Limited Commercial to “OW” Office Warehouse Generally Located Between Gow and Joann, North of Central; 715 and 723 North Gow, and 726 North Joann. (District VI) – [Zone Change from Single-Family Residential to Multi-Family Residential, and Protective Overlay District #84, North of 47th Street North, East of Rock Road.](#) (District VI)

RECOMMENDED ACTION: Approve zone change and first reading of Ordinance.

- *57. [ZON2001-00075](#) – Zone Change to General Commercial, North of Hendryx, East of Julia; AND CUP2001-00045 – Amendment to West Kellogg Power Center Community Unit Plan. (District V)

RECOMMENDED ACTION: Approve zone change and C.U.P. amendment, subject to recommended conditions; approve first reading of Ordinance.

- *58. [A02-02](#) – Request for Annexation of Property Located North of 47th Street South, East of Hoover Road. (District V)

RECOMMENDED ACTION: Adopt the Resolution; forward certified copy to Sedgwick County Clerk.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent Items.

59. [Resolution](#) for Issuance of Airport Special Facility Revenue Bonds – Cessna Citation Service Center. (District V)

RECOMMENDED ACTION: Adopt the Resolution.

- *60. [Cessna Citation Service Center Airfield Pavement Construction.](#)

RECOMMENDED ACTION: Approve project budget; adopt Resolution.

- *61. [HVAC Improvements – Terminal Building Mechanical Equipment.](#)

RECOMMENDED ACTION: Approve project; adopt Resolution.

- *62. [Supplemental Agreement – FAA Contract.](#)

RECOMMENDED ACTION: Approve Contract; authorize necessary
signatures.

- *63. [Supplemental Agreement – Airfield Pavement – Taxiway.](#)

RECOMMENDED ACTION: Approve Contract; authorize necessary

Adjournment
